

**Minutes  
Notice of Regular Meeting  
Oneida County Board of Supervisors  
Tuesday, May 15, 2018 – 9:30 a.m.  
County Board Meeting Room – 2<sup>nd</sup> Floor Oneida County Courthouse**

---

**CALL TO ORDER.**

Chairman Hintz called the meeting to order at 9:30 a.m. in the County Board Meeting Room of the Oneida County Courthouse. There was a brief moment of silence for our troops here and overseas followed by the Pledge of Allegiance.

**Members Present:** Robb Jensen, Jim Winkler, Greg Pence, Bob Mott, Alan VanRaalte, Billy Fried, Lance Krolczyk, Tom Kelly, Jack Sorensen, Sonny Paszak, Dave Hintz, Greg Oettinger, Mike Timmons, Mitchell Ives, Ted Cushing, Bob Metropulos, William Liebert, Steven Schreier, Russ Fisher and Bob Almekinder.

**Members Present:** 20

**Members Absent:** Scott Holewinski

**ANNOUNCEMENTS BY CHAIR, CORRESPONDENCE AND COMMUNICATIONS:**

- Memorial Day ceremony is on 5-28-2018 at 11 a.m. per Hintz.
- Sign attendance form at the podium.
- Please use a microphone when speaking.
- Chairman Hintz thanked Joe Brauer for his years of service as Airport Director. Introduction of Matthew Leitner the new Airport Director.

**ACCEPT THE MINUTES OF THE APRIL 17, 2018 MEETING.**

**Motion/Second Sorensen/Cushing** to accept the minutes of the April 17, 2018 Meeting. All Aye, motion approved.

**REPORTS/PRESENTATIONS:**

- Samantha Gardner, 6<sup>th</sup> Grade, Sugar Camp School was unable to present – “Crown Vetch: The Royal Disaster”.
- Tobias Volkmann, 6<sup>th</sup> Grade, Sugar Camp School – “Tree Up, Tree Down, End of a Species”.
- Kaya Szews, 6<sup>th</sup> Grade, Sugar Camp School – “Homicidal Hazardous Waste”.
- Land and Water Conservation – Recognition of Marci Spear, Sugar Camp Elementary School and Brian Carpenter, James Williams Middle School.
- Jim Winkler – Introduction of Chiyulo Mukonda, Zambia, East Africa.

**PUBLIC COMMENT:** Brooks Big John of Lac du Flambeau Counsel read Lac Du Flambeau Tribal Resolution # 156-18 in opposition to mining activities. Jeff Brown spoke regarding metallic mining.

**CONSENT AGENDA:**

**Resolution # 30 – 2018:** Offered by the Supervisors of the Land Records Committee approving the sale of tax foreclosed properties CA 490-20 and WB 585.

**WHEREAS**, the tax foreclosed parcels identified in Exhibit A listed below have been offered for public sale pursuant to the procedures in Chapter 18 of the General Code of Oneida County, WI; and,

**WHEREAS**, the Land Records Committee has determined it would be in the best interest of Oneida County to convey the parcels by quit claim deed to the successful bidders listed in Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Oneida County hereby approve the sale of the parcels listed in Exhibit A below to the successful bidders listed with any condition or terms listed in Exhibit A; and,

**BE IT FURTHER RESOLVED**, that upon receipt of the bid amount and recording fee from the successful bidders listed in Exhibit A, the County Clerk is authorized to sign and place the county seal upon a quit claim deed for the parcels listed in Exhibit A; and,

**BE IT FURTHER RESOLVED**, that the County Treasurer is authorized and instructed to assign to the successful bidder, at the time of issuance of the quit claim deed, all county certificates on the property sold.

Approved by the Land Records Committee this 8<sup>th</sup> day of May, 2018.

Offered and passage moved by: Sonny Paszak, Mike Timmons, Greg Oettinger and Bill Liebert.

Resolution # 31 – 2018: Offered by the Supervisors of the Forestry, Land, and Recreation Committee approving the County Forest Law Withdrawal Application for a parcel of land in the NE ¼ of the SE ¼, Section 36, Township 37 North, Range 7 East, Town of Cassian, Oneida County, Wisconsin.

**WHEREAS**, the Forestry Department received an Affidavit request from the Town of Cassian to maintain West Soo Lake Road, across county forest land located within the NE1/4 of the SE1/4, Section 36, T37N-R7E, in the Town of Cassian; and

**WHEREAS**, upon conducting a field investigation associated with the above described request, Forestry Department personnel discovered that parts of a private driveway and garage had been developed on county forest land without permission from the County, (see attachment A. Land Survey Map); and

**WHEREAS**, the County Forest Law Program, under Wis. State Statue 28.11, does not allow private buildings or permanent private access easements on or across County Forest Land; and

**WHEREAS**, upon conducting a thorough examination of all possible remedies to resolve the above described encroachment and access issue, the Forestry, Land, and Recreation Committee recommends that an application be sent to the WDNR requesting a 0.21 acre parcel of land, illustrated on the attached land survey map as Out lot 1, be withdrawn from the County Forest Law program and subsequently sold to resolve the encroachment and access issues described herein.

**NOW, THEREFORE, BE IT RESOLVED THAT:** The Forestry, Land, and Recreation Committee recommends that the attached County Forest Law Withdrawal Application be sent to the WDNR requesting the withdrawal of the 0.21 acre parcel of land, illustrated on the attached land survey map as Out lot 1 and described below, to be withdrawn from the County Forest Law Program:

A parcel of land in part of the NE 1/4 of the SE 1/4, Section 36, Township 37 North, Range 7 East, Town of Cassian, Oneida County, Wisconsin, more particularly described as follows:

Commencing at the East 1/4 Corner of said Section 36 marked by a brass capped iron pipe; thence along the east line of said Section 36, S00°18'53"E for a distance of 557.93 feet to an iron pipe, the PLACE OF BEGINNING. Thence continuing along said east line, S00°18'53"E for a distance of 83.00 feet to an iron pipe; thence leaving said east line, S85°35'46"W for a distance of 30.00 feet; thence N75°43'02"W for a distance of 95.15 feet to an iron pipe the end of West Sao Lake Road; thence along the end of West Soo Lake Road, N06°03'26"E for a distance of 66.00 feet to an iron pipe; thence leaving said east right-of-way line, S88°06'04"E for a distance of 114.76 feet to the PLACE OF BEGINNING, containing 9,297 sq. ft. or 0.21 acres more or less. Together with and subject to any easements, restrictions and reservations of record or of use.

**BE IT FURTHER RESOLVED**, upon the DNR approving the above described withdrawal application the Oneida County Forestry Department is authorized to offer the subject parcel for sale to the adjoining owner having the encroachment and access issue for \$8,690.00 (see Attachment B. for an itemized list of reimbursement fees); and

**BE IT FURTHER ORDAINED AND RESOLVED**, that any and all payments resulting from the above described land sale, shall be deposited into the County Forest Land Purchase Account 51570.699101, and used to purchase replacement acreage for enrollment into the County Forest Law Program.

Approved by the Forestry, Land & Recreation Committee this 2<sup>ND</sup> day of May, 2018.

Offered and passage moved by: Jack Sorensen, Alan VanRaalte, Robert Almekinder and Bob Mott.

Resolution # 32 – 2018/Ordinance Amendment # 1 – 2017: Offered by the Supervisors of the Planning and Development Committee amending Chapter 20 of the Oneida County Floodplain Zoning Ordinance.

**WHEREAS**, the Planning & Development Committee, having considered Ordinance Amendment #1-2017, (copy attached) which was filed April 2, 2018 (copy attached) to amend the Oneida County Floodplain Zoning Ordinance, Chapter 20 of the General Code of Oneida County, Wisconsin and having given notice thereof as provided by law and having held a public hearing thereon December 6, 2017, and April 18, 2018 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

**WHEREAS**, Oneida County received a letter from the Wisconsin Department of Natural Resources (WDNR) dated May 2, 2017, requesting Oneida County to adopt the Dam Failure Analysis (DFA) and assessment hazard rating assignment for the Maple Lake Dam located in the Town of Three Lakes; and

**WHEREAS**, the purpose of the ordinance amendment is to adopt the Dam Failure Analysis to prohibit development in the Flood Shadow if there is a dam failure; and

**WHEREAS**, the Planning and Development Committee held two public hearings and informed every property owner that would be impacted; and

**WHEREAS**, the Planning and Development committee has carefully studied the proposed changes and recommends approval.

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Chapter 20 of the Oneida County Floodplain Zoning Ordinance of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

## 1.5 GENERAL PROVISIONS

5. 100-year Dam Failure Study downstream of Maple Lake Dam located in Section 6, T38N, R11E, located in the Town of Three Lakes, dated February 13, 2014 prepared by MSA Professional Services. Approved by DNR February 25, 2014.

5. 6. Floodplain Study Appendix: ... (the remainder remains unchanged)

The remaining portion of 1.5, General Provisions remains unchanged.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #1-2017 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin Department of Natural Resources.

Approved by the Planning and Development Committee this 2nd day of May 2018.

Offered and passage moved by: Scott Holewinski, Jack Sorensen, Ted Cushing and Billy Fried.

Resolution # 33 – 2018/Ordinance Amendment # 3 – 2018: Offered by the Supervisors of the Planning and Development Committee amending Chapter 9 of the Oneida County Zoning and Shoreland Protection Ordinance, Appendix A, District 6 Business & District 7 Business.

**WHEREAS**, the Planning & Development Committee, having considered Ordinance Amendment #3-2018, (copy attached) which was filed March 29, 2018 (copy attached) to amend Appendix A, District 6 Business & District 7 Business of the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon April 18, 2018 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

**WHEREAS**, the proposed ordinance amendment would allow dog kennels and/or cat boarding facilities in District 6 Business and District 7 Business on one acre of land if the property is sewerer; and

**WHEREAS**, dog kennels and/or cat boarding facilities are currently allowed in District 6 Business and District 7 Business on five acres; and

**WHEREAS**, the Planning and Development Committee held a public hearing and no one testified for or against; and

**WHEREAS**, all towns were notified of the proposed changes and provided input; and

**WHEREAS**, the Planning and Development committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval.

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

Use	Class 1 Waterways Unsewered 50 Acres or less	Sewered water lot	Class II Waterways Unsewered Greater than 50 Acres	Unsewered back lot	Sewered back lot
-----	--	----------------------	---	-----------------------	---------------------

			Includes rivers and streams		
Cemeteries, <del>Dog kennels and/or cat boarding facilities or animal shelters,</del> Wildlife rehabilitation centers pursuant to Wis. Administrative Code NR 19 or facilities subject to a federal permit.	5 Acres 300' frt & width	5 Acres 300' frt & width	5 Acres 300' frt & width	5 Acres 300' frt & width	5 Acres 300' frt & width
<u>Dog kennels and/or cat boarding facilities,</u> <u>animal daycare centers</u> <u>or animal shelters</u>	<u>5 Acres</u> <u>300' frt &amp; width</u>	<u>5 Acres</u> <u>300' frt &amp; width</u>	<u>5 Acres</u> <u>300' frt &amp; width</u>	<u>5 Acres</u> <u>300' frt &amp; width</u>	<u>1 Acre</u> <u>200' frt &amp; width</u>

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #3-2018 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin Department of Natural Resources.

Approved by the Planning and Development Committee this 2nd day of May 2018.

Offered and passage moved by: Scott Holewinski, Jack Sorensen, Ted Cushing and Billy Fried.

Resolution # 34 – 2018/Ordinance Amendment # 4 – 2018: Offered by the Supervisors of the Planning and Development Committee amending Chapter 9 of the Oneida County Zoning and Shoreland Protection Ordinance, Article 2, Section 9.20(E) Accessory uses and structures.

**WHEREAS**, the Planning & Development Committee, having considered Ordinance Amendment #4-2018, (copy attached) which was filed March 29, 2018 (copy attached) to amend Section 9.20(E) Accessory Uses and Structures of the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon April 18, 2018 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

**WHEREAS**, the proposed ordinance amendment would allow an increase in the maximum size of an accessory structure from 1008 square feet to 1500 square feet prior to construction of a residence; and

**WHEREAS**, all towns were notified of the proposed changes and provided input; and

**WHEREAS**, the Planning and Development Committee held a public hearing and no one testified for or against the proposed change; and

**WHEREAS**, the Planning and Development Committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval.

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

**Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.**

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

E. Accessory Uses and Structures (#83-2003, #35-2004, & #07-2005)

Accessory uses and structures shall not be permitted in the Single Family Residential District (District 2), the Multiple Family Residential District (District 3), the Residential and Retail District (District 14), and the Rural Residential District (District 15) until the principal structure is constructed or under construction. However, an accessory structure may be constructed prior to construction of a residence if:

- (1) The accessory structure has no plumbing.
- (2) The accessory structure shall be used exclusively for personal storage only, not for rental or lease of space.
- (3) Human occupancy is prohibited.
- (4) The maximum size of the structure is ~~4008~~ 1500 square feet.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #4-2018 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin Department of Natural Resources.

Approved by the Planning and Development Committee this 2<sup>nd</sup> day of May 2018.

Offered and passage moved by: Scott Holewinski, Jack Sorensen, Ted Cushing and Billy Fried.

Resolution # 35 – 2018/Ordinance Amendment # 5 – 2018: Offered by the Supervisors of the Planning and Development Committee amending Chapter 9 of the Oneida County Zoning and Shoreland Protection Ordinance, Article 1, Section 9.17 and Article 10 – Definitions.

**WHEREAS**, the Planning & Development Committee, having considered Ordinance Amendment #5-2018, (copy attached) which was filed March 29, 2018 (copy attached) to amend Section 9.17 and Article 10-Definitions of the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon April 18, 2018 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

**WHEREAS**, the proposed ordinance amendment would more definitively define and prohibit an unsafe structure; and

**WHEREAS**, all towns were notified of the proposed changes and provided input; and

**WHEREAS**, the Planning and Development Committee held a public hearing and one individual testified for the proposed change and no one testified against; and

**WHEREAS**, the Planning and Development Committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval.

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

#### 9.17 PROHIBITION AGAINST UNSAFE STRUCTURES

Unsafe and/or dilapidated structures are prohibited in Oneida County. The Zoning Administrator, ~~Deputy Assistant~~ Zoning Administrator, Land Use Specialist or Zoning ~~Inspector~~ Technician may act, pursuant to sec. ~~66.05~~ 66.0413, Wis. Stats., when the safety and welfare of the public requires immediate action, said Zoning authorities may enter the premises, with assistance from town or County protective services personnel as may be necessary, and cause such structure to be made safe or removed. The expense of such work shall be recovered by the County against the owner or occupant.

#### ARTICLE 10 – DEFINITIONS

**Unsafe Structures:** An unsafe structure is one that is found to be dangerous to the life, health, property, safety of the public, or the occupants of the structure by not providing minimum safeguards to protect occupants or because such structure contains unsafe conditions due to abandonment or lack of maintenance or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #5-2018 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Town Clerks of Oneida County and

the Wisconsin Department of Natural Resources.

Approved by the Planning and Development Committee this 2nd day of May 2018.

Offered and passage moved by: Scott Holewinski, Jack Sorensen, Ted Cushing and Billy Fried.

Resolution # 36 – 2018/Rezone Petition # 2 – 2018: Offered by the Supervisors of the Planning and Development Committee amending the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, to rezone land from District # 2 – Single Family to District # 07 – Business on property described as part of Government Lot 9, Section 6, T38N, R11E, specifically described as parcel number TL 439-2, Town of Three Lakes, Oneida County, Wisconsin.

**WHEREAS**, and having considered Rezone Petition 2-2018, (copy attached) which was filed February 8, 2018, to amend the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, and having given notice thereof as provided by law and having held a public hearing thereon April 4, 2018 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

To rezone land from District #02-Single Family to District #07-Business on property described as part of Government Lot 9, Section 6, T38N, R11E, specifically described as parcel number TL 439-2, Town of Three Lakes, Oneida County, Wisconsin.

And being duly advised of the wishes of the people in the area affected as follows:

**WHEREAS**, the property owner stated “This parcel is a high visibility low impact location along Federal Hwy 45 North of 3 Lakes. 5.2 acres with Hwy 45 access would be ideal for commercial development. Very much needed in 3 Lakes” and;

**WHEREAS**, the Town of Three Lakes has approved the rezone request on March 6, 2018 (copy attached) and;

**WHEREAS**, On April 4, 2018 the Planning and Development Committee held a public hearing and the adjoining landowners were provided with a written notice of the change and two letters (emails) were received in opposition of the rezone and;

**WHEREAS**, The Planning & Development Committee has reviewed the general standards as specified in Section 9.86(F) of the Oneida County Zoning & Shoreland Protection Ordinance and concluded that the standards have been met. The Planning & Development Committee recommends passage.

NOW THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:  
Petition #2-2018:

Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall be and are hereby repealed as far as any conflict exists.

Section 2: The ordinance shall take effect the day after passage and publication as required by law.

Section 3: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 4: Rezone Petition #2-2018 is hereby adopted amending the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, by changing the zoning district classification from District #02-Single Family to District #07-Business on property described as follows:

Part of Government Lot 9, Section 6, T38N, R11E, specifically described as parcel number TL 439-2, Town of Three Lakes, Oneida County, Wisconsin.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition #2-2018 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Three Lakes Town Clerk.

Approved by the Planning and Development Committee this 18th day of April 2018.

Offered and passage moved by: Scott Holewinski, Jack Sorensen, Ted Cushing, Mike Timmons and Billy Fried.

Resolution # 37 – 2018/Ordinance Amendment # 37 – 2018: Offered by the Supervisors of the Public Works Committee amending section 7.095 of the General Code of Oneida County – All Terrain/Utility Vehicle Trails and Routes on County Highways and Bridge Crossings – to open a portion of STH 32 to ATV use.

Sorensen left 10:15 a.m.

Supervisor Jensen requested Resolution #37 – 2018 be pulled from the Consent Agenda.

**Motion/Second: VanRaalte/Cushing** to accept the Consent Agenda as presented.

**Roll Call Vote:** 19 Aye, 2 Absent, Holewinski, Sorensen

**Consent Agenda:** Approved

Sorensen returned 10:21 a.m.

**Resolution # 37 – 2018/Ordinance Amendment # 37 – 2018:** Offered by the Supervisors of the Public Works Committee amending section 7.095 of the General Code of Oneida County – All Terrain/Utility Vehicle Trails and Routes on County Highways and Bridge Crossings – to open a portion of STH 32 to ATV use.

**WHEREAS,** Oneida County has many roads open to ATV's; and

**WHEREAS,** the Public Works committee received a request to open a section of STH 32, more specifically the Big Stone/Deer Lake Bridge [a.k.a. Eagle River Bridge] from Chicken in the Woods Road to East Golf Course Loop, in Three Lakes to ATV's; and

**WHEREAS,** the Public Works committee has reviewed this request and approved it; and

**WHEREAS,** Oneida County needs to update the County Code in order to effectuate the change.

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 7.095 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

**7.095 ALL TERRAIN/UTILITY VEHICLE TRAILS AND ROUTES ON COUNTY HIGHWAYS AND BRIDGE CROSSINGS.**  
(Rn. #80-2011, Am. #51-2015)

ATV'S are allowed to be operated on County Trunk Highways as designated by the Highway Commissioner and Highway Committee. The trails and routes that are to be on County Trunk Highways shall be reviewed and approved according to the "Oneida County Highway Committee Policy for ATV Routes and Trails", or any successor policy adopted by the Highway Committee. The following County Highways are open to ATV/UTV use:

CTH A) Open entire length.

CTH B) Open entire length.

CTH C) Closed entire length.

CTH D) Open from Highway 17 to west side of "O" intersection.

CTH E) Closed entire length.

CTH G) Open Oneida County Forestry Parking lot at Zimmer Road to Highway 45.

CTH H) Open entire length.

CTH J) Closed entire length.

CTH K) Closed entire length.

Chapter 7 TRAFFIC CODE

Oneida County, Wisconsin, Code of Ordinances Page 5

CTH L) Closed entire length.

CTH M) Open from Highway "B" to Forest County line.

CTH N) Open entire length.

CTH O) Open entire length.

CTH P) Closed entire length.

CTH Q) Open from Highway 45 to Langlade County line.

CTH W) Closed entire length.

CTH Y) Open entire length.

CTH Z) Open entire length.

Pursuant to Wisconsin Statute s. 23.33(11)(am)3 ATV's & UTV's shall be allowed to cross the bridge following bridges in Oneida County:

1. Bridge over Crystal Lake on State Highway 45 [Connecting Oneida County parcels TL 586-2 & TL 586-3], Town of Three Lakes, and Federal ID number C-43-08-98.

2. Bridge over Deer/Big Stone Lake [a.k.a Eagle River Bridge] on State Highway 32, Town of Three Lakes, and Federal ID number B-43-031.

ATV operators crossing any bridge listed in this Ordinance section shall comply with the following conditions:

- a. Cross the bridge in the most direct manner practicable and at a place where no obstruction prevents a quick and safe crossing.
- b. Stay as far to the right of the roadway or shoulder as practicable.
- c. Stop the vehicle prior to the crossing.
- d. Yield the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway or shoulder.
- e. Exit the highway as quickly and safely as practicable after crossing the bridge.

Offered and passage moved by: Robb Jensen, Sonny Paszak, Ted Cushing, Mike Timmons and Scott Holewinski.

**Discussion:** Supervisor Jensen stated there are needed changes to the Resolution. Bruce Stefonek stated the list of ATV roads was not listed properly and that there is a more updated list. Desmond stated that his intent is to bring another Resolution that would correct the deficiencies, discussion ensued.

Kelly left 10:21 a.m.

**Roll Call Vote on Resolution # 37 - 2018:** 19 Aye, 2 Absent, Kelly, Holewinski  
**Resolution # 37 – 2018:** Adopted

Kelly returned 10:25 a.m.

**CONSIDERATION OF RESOLUTIONS & ORDINANCES:**

**Resolution # 38 – 2018:** Offered by the Supervisors of the Public Safety Committee honoring the life and public service of Judy M. Bedard.

**WHEREAS,** Judy M. Bedard, a dedicated public servant and valued member of the Oneida County Sheriff's Office passed away on Tuesday, March 20, 2018.

**WHEREAS,** Judy was born on January 24, 1963 and graduated from Escanaba Area High School in 1981.

**WHEREAS,** Judy came to our community in 2003 and opened a sandwich shop named, "Subby's".

**WHEREAS,** Judy joined the Oneida County Sheriff's Office on July 3, 2006 and worked there as a Secretary and for a short time as a Correction's Officer.

**WHEREAS,** Judy could be found on most workdays at the front desk, greeting customers and answering questions.

**WHEREAS,** Judy loved to spend time in the sun and on the water and was a lover of all animals, especially her dogs, Rubi and Ike. She also loved her Jeeps with the top down and her hat on backwards.

**WHEREAS,** Judy is survived by her sons, Randy (Jen) Ness of Escanaba, MI and Rick Ness of Milwaukee, WI; grandson, Grady Ness of Escanaba, MI; two sisters, Bonnie (Jim) Lippens of Escanaba, MI and Jeri (Rich) Gagnon of Gladstone, MI; and two brothers, Jack (Cindy) Bedard and Gary (Patty) Bedard both of Escanaba, MI. She is further survived by nieces, nephews, other relatives, and friends including longtime friend, Becky (John) Sturdy. She was preceded in death by her parents, Edsel and Lorraine.

**NOW, THEREFORE, BE IT RESOLVED,** that the Oneida County Board of Supervisors join in honoring the life and public service of Judy M. Bedard and extend their condolences to her family and friends; and

**BE IT FURTHER RESOLVED,** the Oneida County Clerk shall provide a copy of this resolution to Judy's sons, Randy and Rick Ness.

Offered and passage moved by: Mike Timmons, Bob Metropulos, Russ Fisher, Mitch Ives and Billy Fried.

**Discussion:** Sheriff Hartman discussed the resolution honoring the passing of an employee of the Sheriff's Office.

**Roll Call Vote:** 20 Aye, 1 Absent, Holewinski

**Resolution # 38 – 2018:** Adopted



Resolution # 39 – 2018: Offered by Supervisor Scott Holewinski to set compensation for Sheriff Department Captain. Offered by Supervisor Cushing, seconded by Jensen.

**WHEREAS**, the Labor Relations Employee Services (LRES) Committee and the Sheriff worked diligently to develop a fair and equitable compensation package for future Captain positions which was approved by the County Board; and

**WHEREAS**, the LRES Committee did meet and agreed with the Sheriff to set the compensation for a newly promoted Captain, Tyler Young.

**NOW, THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors hereby confirms the appointment of Mr. Tyler Young as a Captain in the Sheriff's Department under the following conditions:

1. The effective date of the appointment shall be May 19, 2018, and
2. For compensation purposes, Mr. Tyler Young shall be compensated at Grade Level O1, Step 13 of the Exempt Wage Schedule.

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors that by adoption of this resolution it shall be deemed that an amendment has been made to the County budget for fiscal year 2018 to meet all projected costs for the position from 2018 vacancy review dollars and as set forth in the fiscal impact statement which is attached hereto and made a part hereof.

Offered and passage moved by: Scott Holewinski.

**Discussion:** Lisa Charbarneau went over the newly hired Captain position regarding setting the wage.

**Roll Call Vote:** 20 Aye, 1 Absent, Holewinski

**Resolution # 39 – 2018:** Adopted

Resolution # 40 – 2018: Offered by the Supervisors of the Administration Committee to retain outside counsel William P. Scott to continue phase 2 of the revisions to Zoning Ordinance s. 9.61, which regulates metallic mining in Oneida County.

**WHEREAS**, Oneida County previously hired outside counsel to draft the now adopted ordinance section 9.61, which regulates metallic mining in Oneida County; and

**WHEREAS**, the State of Wisconsin has recently amended state statutes with regard to Metallic Mining (see, 2017 Wisconsin Act 134);

**WHEREAS**, the Planning and Development Committee has hired outside counsel with mining law experience to assist with a review of our current ordinance section 9.61 to ensure that the regulations contained therein are enforceable in light of the recent changes to State law and to provide legal advice regarding provisions that are unenforceable or vulnerable to challenge; and

**WHEREAS**, the Planning and Development Committee is in phase 2 of the process regarding the revisions to ordinance section 9.61 (which need to be effective by July 1st, 2018); and

**WHEREAS**, the Planning and Development Committee believes it is necessary to have Attorney William Scott continue to assist with the revisions to the ordinance and has passed a motion to that effect; and

**WHEREAS**, the Planning and Development Committee currently does not have within the operating budget the funds necessary for the completion of Phase 2 revisions or in person meetings with the Planning and Development Committee (a cost of fifteen hundred dollars per meeting according to the previous proposal); and

**WHEREAS**, the Planning and development committee believes that a budget of fifteen thousand dollars (\$15,000.00) would be sufficient to complete Phase 2, based on the current progress, current amount owed to Attorney William Scott, and estimate of work to be completed..

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that Attorney William Scott continues to be retained to complete Phase 2 of the ordinance section 9.61 review and revisions project; and

**BE IT FURTHER RESOLVED**, that the Oneida County Budget be amended to include budget line items for the Planning and Development Committee for Legal Services and other costs; and

**BE IT FURTHER RESOLVED, BE IT FURTHER RESOLVED** by the Oneida County Board of Supervisors that the County budget for fiscal year 2018 shall be amended to reflect a transfer from the Contingency Fund to Mining-Legal Fees for fifteen thousand dollars (\$15,000.00) to complete Phase 2 of the revisions to Ordinance Section 9.61, which regulates metallic mining in Oneida County.

Offered and passage moved by: Dave Hintz, Robb Jensen, Billy Fried and Ted Cushing.

**Discussion:** Summary of the history Act 134 by Chairman Hintz. Assistant Corporation Counsel Mike Fugel noted the qualifications of Attorney William P. Scott, discussion ensued.

**Roll Call Vote:** 20 Aye, 1 Absent, Holewinski

**Resolution # 40 – 2018:** Adopted

Resolution # 41 – 2018: Offered by the Supervisors of the Administration and Labor Relations Employee Services (LRES) Committees to appoint Jason Rhodes as the Information Technology Services (ITS) Director.

**WHEREAS**, the Administration Committee appointed Mr. Jason Rhodes as the Information Technology Services (ITS) Director, subject to confirmation by the Oneida County Board of Supervisors, and

**WHEREAS**, the Labor Relations Employee Services (LRES) Committee agrees to the compensation as indicated below, and

**WHEREAS**, no additional departmental funding is needed due to amount budgeted for 2018 and expected vacancies within the department.

**NOW, THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors hereby confirm the appointment of Mr. Jason Rhodes as the Information Technology Services (ITS) Director under the following conditions:

1. The effective date of the appointment shall be May 19, 2018, and
2. For compensation purposes, Mr. Rhodes shall be placed at Step 8, Grade Level R on the Exempt Wage Schedule, with an opportunity to move to Step 9 at six months with a positive performance evaluation and to Step 10 at one year with a positive performance evaluation.

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors that by adoption of this resolution it shall be deemed there is an overall savings to the budget for fiscal year 2018 as set forth in the fiscal impact statement which is attached hereto and made a part hereof.

Approved by the Labor Relations Employee Services Committee this 9<sup>th</sup> day of May, 2018.

Approved by the Administration Committee this 9<sup>th</sup> day of May, 2018.

Offered and passage moved by: Dave Hintz, Robb Jensen, Billy Fried, Ted Cushing and Scott Holewinski.

**Discussion:** Charbarneau went over the selection of Jason Rhodes as the new ITS Director.

**Roll Call Vote:** 20 Aye, 1 Absent, Holewinski

**Resolution # 41 – 2018:** Adopted

#### **OTHER BUSINESS:**

- 2017 Wisconsin Act 184 – Committee for Placement of Sexually Violent Persons – Desmond went over the purpose of this committee and discussion ensued.
- Out-of-State travel – Dave Hintz – White House Conference – 5/23/2018 – Washington D.C.

**Motion/Second Jensen/Mott** to pay for round trip airfare for Chairman Hintz to represent the County in Washington D.C.

**Roll Call Vote:** 19 Aye, 1 Absent, Holewinski, 1 Abstain, Hintz

**Motion/Second Cushing/Sorensen** to go into closed session at 11:07 a.m. Roll Call vote, all “Aye”, motion passes.

**CLOSED SESSION:** It is anticipated that the committee will go into closed session pursuant to Wisconsin Stats. Sec. 19.85 (1) (g) Conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. (Topic: Request for Outside Legal Counsel – Workers Compensation) AND it is anticipated that the Committee will return to open session by roll call vote to consider the remainder of the meeting agenda.

Announcement of action taken in closed session, or take action based on closed session (NOTE: If the announcement of action taken in closed session would compromise the need for the closed session, the action taken will not be announced. Any action taken in closed session may be announced when the need for the closed session has passed).

**Motion/Second Cushing/Sorensen** to return to open session at 11:34 a.m. All “Aye”, motion carried.

**Announcement: No announcement was made.**

**NEXT MEETING DATE AND TIME:** June 19, 2018 @ 9:30 a.m.

Unless a motion is made to change the starting time.

#### **ADJOURNMENT:**

**Motion was made to adjourn at 11:35 a.m. by Timmons and seconded by Cushing. All “Aye”, motion carried.**

**Meeting adjourned at 11:35 a.m.**